

JUN 08 2005

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)
DEPARTMENT OF INSURANCE,)
)
PETITIONER,)
)
VS.)
)
PLATTE VALLEY ABSTRACT &)
TITLE COMPANY AND)
JOYCE A. LOW,)
)
RESPONDENTS.)

CONSENT ORDER

CAUSE NO. A-1621

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Janette L. Adair and Platte Valley Abstract & Title Company and Joyce A. Low ("Respondents"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§44-101.01, 44-4047 et seq. and 44-19,106 et seq. (Reissue 2004).
2. Respondents were licensed as an insurance agent and agency under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Platte Valley Abstract & Title Company and Joyce A. Low, Cause Number A-1621 on May 23, 2005. A copy of the petition was served upon the Respondents at the Respondents' address registered with the Department by certified mail, return receipt requested.

2. Respondents violated §§44-19,116(1)(c) and 44-19,116(1)(e) (Reissue 2004) as a result of the following conduct:

- a. Funds were disbursed from Respondents' escrow account during an April 4, 2005 closing that pursuant to instructions were not to be disbursed until after a three-day rescission period.
- b. Funds disbursed from Respondents' escrow account during an April 4, 2005 closing were not received or deposited in Respondent's escrow account until April 8, 2005.
- c. Funds to be disbursed, pursuant to instructions, to Yvonne Ostry on March 30, 2005 were not properly disbursed until after April 15, 2005.

3. Respondents violated §40-4059(1)(h) (Reissue 2004) as a result of the following conduct:

- a. Respondents issued a disbursement check drawn on Respondents' escrow account in the amount of \$103,751.36 to Yvonne Ostry on March 30, 2005 for the proceeds of a real estate closing. The check was returned by Respondents' bank to Ms. Ostry for insufficient funds.

4. Respondents were informed of their right to a public hearing. Respondents waive that right, and enter into this Consent Order freely and voluntarily. Respondents understand and acknowledge that by waiving their right to a public hearing, Respondents also waive their right to confrontation of witnesses, production of evidence, and judicial review.

5. Respondents admit the allegations stated in Paragraphs 2 and 3.

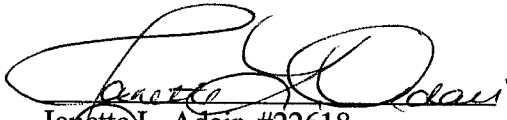
CONCLUSIONS OF LAW

Respondents' conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§44-19,116(1)(c), 44-19,116(1)(e), and 44-4059(1)(h) (Reissue 2004).

CONSENT ORDER

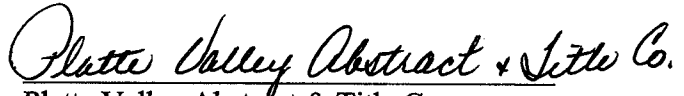
It is therefore ordered by the Director of Insurance and agreed by Respondents, Platte Valley Abstract & Title Company and Joyce A. Low, that Respondents shall pay an

administrative fine in the amount of three thousand dollars (\$3000.00) due within 30 days after the Director of Insurance or his designee approves and signs this consent order. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his signature below.



Janette L. Adair, #22618
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

6-8-05
Date

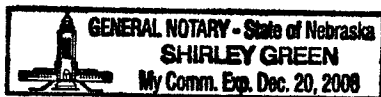


Platte Valley Abstract & Title Company,
Respondent

By: Joyce A. Low
June 3, 2005
Date

State of NEBRASKA)
) ss.
County of SCOTT BLUFF)

On this 3RD day of JUNE, 2005, Joyce A. Low personally appeared before me on behalf of Platte Valley Abstract & Title Company and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.

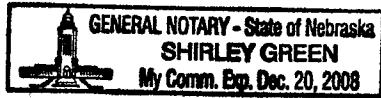


Shirley Green
Notary Public

Joyce A. Low
Joyce A. Low, Respondent
June 3, 2005
Date

State of NEBRASKA)
) ss.
County of SCOTT BLUFF)

On this 3rd day of June, 2005, Joyce A. Low personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be her voluntary act and deed.



Shirley Green
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Platte Valley Abstract & Title Company and Joyce A. Low, Cause No. A-1621.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

L. Tim Wagner

L. TIM WAGNER
Director of Insurance

6/8/05
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondents, at 1919 First Avenue, P.O. Box 851, Scottsbluff, NE 69363, by certified mail, return receipt requested on this 10th day of June, 2005.

Joyce A. Low